

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X	:	
UNITED STATES OF AMERICA,	:	
	:	
Plaintiff,	:	
	:	THIRTEENTH
-and-	:	STATEMENT OF FEES &
	:	EXPENSES
THE VULCAN SOCIETY, INC., for itself and on behalf of	:	
its members, and MARCUS HAYWOOD, CANDIDO	:	07-cv-2067 (NGG)(RLM)
NUÑEZ and ROGER GREGG, individually and on behalf	:	
of a class of all others similarly situated,	:	
	:	
Plaintiffs-Intervenors,	:	
	:	
-against-	:	
THE CITY OF NEW YORK,	:	
	:	
Defendant.	:	
-----X	:	

MARY JO WHITE, Special Master.

The Special Master submits this Thirteenth Statement of Fees and Expenses pursuant to the Court's June 1, 2010 Order Appointing Special Master (the "Appointment Order")

(Dkt. No. 448, ¶ 14). The Appointment Order requires that:

Every 60 days, the Special Master shall submit to the court an itemized statement of fees and expenses, which the court will inspect for regularity and reasonableness. If the court determines the itemized statement is regular and reasonable, the court will sign it and transmit it to the parties. The City shall then remit to the Special Master any court-approved amount, within 20 calendar days of court approval.

(*Id.*)

The Special Master and her law firm have agreed to work on a pro bono basis and accordingly, there are no fees to be paid. For the period of May 31, 2012 through July 31, 2012, the Special Master has incurred expenses totaling \$241.25.¹ An itemized list of the expenses is attached as Exhibit 1.

This statement also includes Dr. Shane Pittman's fees and expenses for the months of June and July. For the month of June, her fees were \$22,187.50, and she incurred expenses in the amount of \$6,505.44, for a total of \$28,692.94. For the month of July, Dr. Pittman's fees were \$5,875.00, and she did not incur any expenses, for a total of \$5,875.00. Invoices for Dr. Pittman's fees and expenses are attached hereto as Exhibits 2 and 3. As a result of the Court's appointment of Dr. Pittman as the third member of the Test Validation Board ("TVB") (Dkt. No. 802 at 11), she performed work in June and July relating to her role as a member of the TVB, in addition to her regular work as the Special Master's expert consultant. For that reason, the fees incurred for the month of June are greater than the projected monthly fees of between \$7,000 to \$17,000 stated in the Special Master's Application for Approval of Proposed Budget for Special Master's Expert Consultant (Dkt. No. 516), which was approved by the Court on September 3, 2010 (Dkt. No. 519). Dr. Pittman's fees incurred for the month of July are less than the projected monthly fees of \$7,000 to \$17,000.

Accordingly, the total expenses for the Special Master's work for this period were \$34,809.19, \$241.25 of which is due to the Special Master's firm and \$34,567.94 of which is due to Dr. Pittman. We respectfully request that the Court approve all of these expenses.

¹ This statement also includes some expenses for earlier in May. Those expenses were not included in the prior statement of expenses because the relevant invoices were not received in advance of submitting that statement.

/s/ Mary Jo White

Mary Jo White

Dated: July 31, 2012

EXHIBIT 1

DEBEVOISE & PLIMPTON LLP

919 Third Avenue
New York, NY 10022
Tel 212 909 6000
Fax 212 909 6836
www.debevoise.com

***EASTERN DISTRICT OF NEW YORK-Special Master
Appointment***

07/31/2012

Invoice Number 1266838

Disbursements and Charges itemized for the period May 31, 2012 to Jul 31, 2012.

Detailed Breakdown of Charges and Disbursements

<u>Description</u>	<u>Amount</u>
Telephone Toll Calls, Conferencing & Outside Vendors	\$162.93
Research Services	\$78.32
Total:	\$241.25

EXHIBIT 2

Invoice for Services from:

The Pittman McLenagan Group, L.C.

6626-A Wilson Lane

Bethesda, MD 20817

301.320.9500

Tax Identification #: 52-1924078

PMG Contact:

Shane Pittman, Ph.D.

301-320-9500

Invoice to:

Philip A. Fortino

Debevoise & Plimpton LLP

919 Third Avenue

New York, New York 10022

Billing Hours for Client: NYC v US

Jun-12

Project:	FDNY Entry Level Testing	
Invoice #:		NYCvUS Jun-12
Terms:	Net 15	
Inv. Date:	7/24/2012	
Please Remit this Amount:	\$28,692.94	
Remit to:	<u>The Pittman McLenagan Group, L.C.</u> 6626-A Wilson Lane Bethesda, MD 20817	

Date	Project Description	Hours	Cost
6/7/2012	Meeting with the Test Validation Board ("TVB") panel	7.50	\$1,875.00
6/8/2012	Meeting with the TVB panel	9.00	\$2,250.00
6/12/2012	Meeting with the TVB panel	7.50	\$1,875.00
6/13/2012	Meeting with the TVB panel	9.50	\$2,375.00
6/14/2012	Meeting with the TVB panel	9.50	\$2,375.00
6/15/2012	Meeting with the TVB panel	6.00	\$1,500.00
6/18/2012	Call with C. Dike-Minor	0.25	\$62.50
6/20/2012	Work related to the TVB report	0.50	\$125.00
6/21/2012	Meeting with the TVB panel	10.00	\$2,500.00
6/22/2012	Meeting with the TVB panel	5.00	\$1,250.00
6/22/2012	Call with C. Dike-Minor; Reviewed/responded to correspondence	0.50	\$125.00
6/25/2012	Meeting with the TVB panel	9.00	\$2,250.00
6/26/2012	Meeting with the TVB panel	9.00	\$2,250.00
6/27/2012	Work related to the TVB report	0.50	\$125.00
6/27/2012	Work related to TVB documentation	1.50	\$375.00
6/27/2012	Call with J. Weiner regarding the TVB	0.75	\$187.50
6/27/2012	Reviewed materials; reviewed/responded to correspondence	0.50	\$125.00
6/28/2012	Call with R. Feldman; reviewed/responded to correspondence	0.25	\$62.50
6/28/2012	Reviewed materials for call with experts	0.50	\$125.00
6/28/2012	Call with experts	1.50	\$375.00
			\$0.00
			\$0.00
	Expenses		\$6,505.44
		88.75	\$22,187.50
	Total Hours +		\$28,692.94
	Expenses		

EXHIBIT 3

Invoice for Services from:

The Pittman McLenagan Group, L.C.
6626-A Wilson Lane
Bethesda, MD 20817
301.320.9500
Tax Identification #: 52-1924078
PMG Contact:
 Shane Pittman, Ph.D.
 301-320-9500

Invoice to:

Philip A. Fortino
 Debevoise & Plimpton LLP
 919 Third Avenue
 New York, New York 10022

Billing Hours for Client: NYC v US

Jul-12

Project:	FDNY Entry Level Testing	
Invoice #:		NYCvUS Jul-12
Terms:	Net 15	
Inv. Date:	7/31/2012	
Please Remit this Amount:	\$5,875.00	
Remit to:	<u>The Pittman McLenagan Group, L.C.</u> 6626-A Wilson Lane Bethesda, MD 20817	

Date	Project Description	Hours	Cost
7/9/2012	Reviewed emails relating to work as a member of the Test Validation Board ("TVB")	0.25	\$62.50
7/10/2012	Reviewed materials and correspondence	0.75	\$187.50
7/17/2012	Reviewed materials	0.25	\$62.50
7/18/2012	Reviewed/responded to correspondence	0.50	\$125.00
7/19/2012	Reviewed materials	1.00	\$250.00
7/20/2012	Reviewed materials with M. McLenagan, PMGLC	3.00	\$750.00
7/19/2012	Reviewed materials with M. McLenagan, PMGLC	2.00	\$400.00
7/20/2012	Reviewed materials	3.00	\$600.00
7/20/2012	Call with P. Fortino, C. Dike-Minor, and R. Feldman to discuss materials	1.00	\$250.00
7/23/2012	Call with experts	1.00	\$250.00
7/23/2012	Work related to the TVB report	2.50	\$625.00
7/24/2012	Reviewed/responded to correspondence	0.25	\$62.50
7/24/2012	Call with Special Master, parties, and experts	0.75	\$187.50
7/25/2012	Call with J. Weiner regarding TVB report	1.50	\$375.00
7/26/2012	Reviewed materials	0.50	\$125.00
7/26/2012	Reviewed/responded to correspondence	0.25	\$62.50
7/26/2012	Call with experts	1.25	\$312.50
7/26/2012	Call with C. Dike-Minor	0.50	\$125.00
7/26/2012	Reviewed/responded to correspondence; Call with C. Dike-Minor	0.50	\$125.00
7/27/2012	Reviewed/responded to correspondence	0.50	\$125.00
7/27/2012	Call with TVB panel	1.50	\$375.00
7/29/2012	Reviewed correspondence	0.25	\$62.50
7/30/2012	Reviewed materials	0.75	\$187.50
7/30/2012	Reviewed/responded to correspondence	0.75	\$187.50
		Expenses	\$0.00
		24.50	\$5,875.00
		Total Hours + Expenses	\$5,875.00